

04-24-06

JF/MS

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

		Application Number	10/764,741
		Filing Date	January 26, 2004
		First Named Inventor	Michael Ehrhart
		Art Unit	2876
		Examiner Name	Thien Minh Le
Total Number of Pages in This Submission	7	Attorney Docket Number	283-300 Con 2

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	One check in the amount of \$180, PTO/SB/08A (1 pg.), Certificate of Express Mail and Return Mail Room Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.

**Express Mail Label No. EV676906913US****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Wall Marjama & Bilinski LLP	Reg. No. 37,283
Signature		
Date	April 21, 2006	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service using the Express Mail Post Office To Addressee service per 37 CFR 1.10 under Express Mail No. EV676906913US addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 21, 2006

Typed or printed name	Jeannine C. Schirripa		
Signature		Date	April 21, 2006

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**EE TRANSMITTAL  
For FY 2006**

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **\$180.00**

Express Mail Label No. EV676906913US

**Complete if Known**

Application Number	10/764,741
Filing Date	January 26, 2004
First Named Inventor	Michael Ehrhart
Examiner Name	Thien Minh Le
Art Unit	2876
Attorney Docket No.	283-300 Con 2

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 50-0289 Deposit Account Name: Wall Marjama & Bilinski LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
- 20 or HP =	x	=		Fee (\$)

HP= highest paid number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a) (1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number)	x	=

**4. OTHER FEES**

Non-English Specification, \$130 fee (no small entity discount)

Other Information Disclosure Statement **\$180.00**

**SUBMITTED BY**

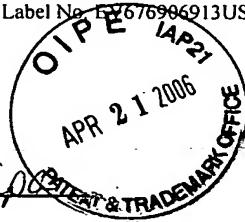
Signature	<i>George S. Blasiak</i>	Registration No. 37,283 (Attorney/Agent)	Telephone 315-425-9000
Name (Print/Type)	George S. Blasiak		Date April 21, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Mail Stop: Amendment, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. EV676906913US

On April 21, 2006

WALL MARJAMA & BILINSKI LLP

By: *Jeannine C. Schirripa*  
Jeannine C. Schirripa



**PATENT**  
Express Mail Label No. EV676906913US  
Attorney Docket No.: 283-300 Con2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Michael Ehrhart, et al.

Application No.: 10/764,741

Filed: January 26, 2004

For: Optical Reader Having A Color  
Imager

Examiner: Le, Thien Minh

Art Unit: 2876

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Mail Stop: Amendment  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(h), no inference should be made that the information and references cited are material to patentability. Also, no inference should be made that a

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reference is prior art merely because it is included in this statement. Under 37 CFR §1.97(g), the submission of an information disclosure statement should not be considered as representation that a search has been made.

In column T<sup>6</sup> of the attached PTO 1449 form, "EN" is entered where the cited reference is in the English language, "AO" is entered where the reference is not in English but a translation of the Abstract only is included, and "FT" is entered where the reference is not in English but a full text English translation is included.

Applicants believe that a fee is required for submission of this statement. A check in the amount of \$180.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

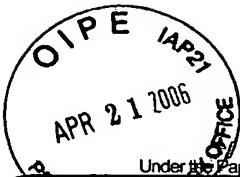
WALL MARJAMA & BILINSKI LLP

Date: April 21, 2006

George S. Blasiak  
George S. Blasiak  
Registration No. 37,283  
WALL MARJAMA & BILINSKI LLP  
101 South Salina Street  
Suite 400  
Syracuse, NY 13202  
315-425-9000  
315-425-9114 (FAX)

Customer No. 20874

GSB/js



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PTO/SB/08A (10-01)

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Substitute for Form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

Express Mail No. EV676906913US

*(use as many sheets as necessary)*

Sheet 1 of 1

<p>Subscribed and sworn to before me on 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>Express Mail No. EV676906913US</p> <p>(use as many sheets as necessary)</p>				<p><i>Complete if Known</i></p>	
<p>Sheet <b>1</b></p>		<p>of</p>	<p><b>1</b></p>	<p>Application Number</p>	<p><b>10/764,741</b></p>
				<p>Filing Date</p>	<p><b>January 26, 2004</b></p>
				<p>First Named Inventor</p>	<p><b>Michael Ehrhart</b></p>
				<p>Art Unit</p>	<p><b>2876</b></p>
				<p>Examiner Name</p>	<p><b>Le, Thien Minh</b></p>
				<p>Attorney Docket Number</p>	<p><b>283-300 Con2</b></p>

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231